

-- REMARKS --

Claims 1-5, 9-14, 18-22 and 26-29 were pending in the application. Claims 6-8, 15-17, 23-25 and 30-32 have been withdrawn from consideration. Claims 1, 3, 10, 12, 13, 18, 20, 27 and 29 have been amended. The changes to the amended claims from the previous versions to the rewritten versions are shown above with brackets for deleted matter and underlines for added matter. No new matter has been added as a result of this amendment.

In the outstanding Office Action, claims 1-3 and 18-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,519,465 to Triplett ("Triplett"). Claims 1-5, 9-14, 18-22 and 26-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,158,535 to Porubcansky et al. ("Porubcansky") in view of Triplett. The rejections are respectfully traversed. The claims have never the less been amended to further clarify the invention and to eliminate any ambiguities that may have been the basis for the rejections.

As previously explained, the present invention is directed to crawler vehicles, such as crawler cranes, that have a plurality of crawler assemblies that are identical and/or interchangeable. In particular, independent claim 1 is directed to crawler vehicle comprising a car body and a plurality of identical crawler assemblies, wherein each of said crawler assembly comprising a crawler track powered by a drive assembly and supported on a crawler frame. Independent claim 10 is directed to a crawler crane having an upper works rotatably mounted on a lower works, wherein the lower works comprises a car body and a pair of interchangeable crawler assemblies. Independent claim 18 is directed to a crawler vehicle comprising first and second crawler assemblies removably mounted to the first and second sides, respectively, of the car body, wherein each of the crawler assemblies are configured to also be mountable on the other (or either) side of the car body. Independent claim 27 is directed to a crawler crane having a lower works comprising two independently powered crawler assemblies mounted on a car body, wherein each of the crawler assemblies are of identical design.

In addition to the above, the independent claims each require that the crawler assemblies have an asymmetric design. As explained in the background section of the

instant application, prior art crawler vehicles typically utilize left-hand and right-hand crawler assemblies that are uniquely configured to attach to each side of the vehicle. For example, and as shown in Porubcansky (see Fig. 3), the left-hand and right-hand crawler assemblies each have a drive assembly connected between the rearward portion of the carbody and the rearward end of the crawler assembly. Although these crawler assemblies appear to have an asymmetric design by virtue of having a single drive assembly connected to only one end of the crawler assembly, these crawler assemblies are neither identical nor interchangeable. In other words, it would be impossible for Porubcansky to connect the left-hand crawler assembly to the right side of the carbody as required by the claims of the instant application. The Examiner has conceded that Porubcansky fails to disclose or suggest a crawler vehicle having crawler assemblies that are identical or interchangeable (February 6, 2003 final Office Action, p. 2).

The Examiner has nevertheless relied on Triplett as disclosing a crawler vehicle having a pair of crawler assemblies that are identical or interchangeable. Applicant respectfully disagrees. Although Triplett does state that several of the components of the crawler assembly are interchangeable, there is no clear indication that the left-hand crawler assembly is interchangeable with the right-hand crawler assembly. The Examiner's reliance on the asserted interchangeability of the "roller unit 35" appears to be misplaced in that the roller unit 35 is merely a sub-component of the crawler assembly (i.e., the roller unit 35 appears to be the structural component that supports the rollers 32).

In any event, Triplett does not appear to employ asymmetric crawler assemblies. As set forth in the Preliminary Amendment filed June 27, 2003, the claims were previously amended to clarify that the crawler assemblies must be asymmetrical. It appears from the outstanding Office Action that the Examiner has not given any patentable weight to these claim amendments. In particular, the Examiner has asserted that the phrase "asymmetrical construction" fails to distinguish over Triplett because the term "asymmetrical" could be interpreted as referring to different axes of the crawler assembly. Applicant respectfully disagrees. It is clear from the specification that the phrase "asymmetrical construction" means that one end of the crawler assembly is

configured differently from the other end of the crawler assembly. By way of example, the crawler assemblies shown in Fig. 3 of the drawings for the instant application have an asymmetric design by virtue of having a single drive assembly connected to only one end of the crawler assembly.

Applicant has nevertheless amended the claims once again to further clarify that the crawler assemblies have an asymmetrical design. The claims have also been amended to clarify that the drive assembly is connected to only one end (or end portion) of the crawler assembly. Triplett clearly fails to disclose crawler vehicle meeting these limitations. As a consequence, none of the prior art references, either alone or if combined, disclosed the features and limitations of the independent claims or the claims that depend therefrom.

Accordingly, Applicant believes that the pending claims are truly distinguishable over the prior art, and it is believed that the application is now in condition for allowance. If for any reason the Examiner is not able to allow the application, he is requested to contact the Applicant's undersigned attorney at (312) 321-4273.

Respectfully submitted,



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